

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

2009 NOV -9 AM 9:37

C. Robinson

NATHANIEL SMITH THURSTON, JR., :

CIVIL ACTION

Petitioner, :

v. :

UNITED STATES OF AMERICA and :
WARDEN, Federal Correctional :
Institution - Jesup, :

Respondents. :

NO. CV209-8

ORDER

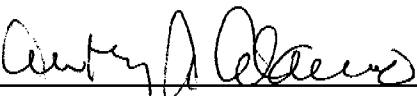
On September 24, 2009, Magistrate Judge James E. Graham entered a report and recommendation suggesting dismissal of Petitioner's case. Judge Graham concluded that Thurston could not elude the requirements of 28 U.S.C. § 2255 by styling his motion as one pursuant to 28 U.S.C. § 2241. Presently before the Court are Thurston's objections to the report and recommendation.

After an independent review of Thurston's objections to the Magistrate Judge's findings, the Court concurs with the Magistrate Judge's suggested disposition of the case and hereby **ADOPTS** the report and recommendation as the order of

the Court. Petitioner's objections are **OVERRULED**. Dkt. No.

15. The Clerk shall enter judgment accordingly.

SO ORDERED, this 9th day of November, 2009.



JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA